

PERSONNEL RECORDS

Personnel records shall be kept on all current employees and shall include information usually expected in good personnel administration.

A file shall be kept for all resigned or retired employees, including such essential information as shall seem appropriate to the administration.

All personnel files will be considered confidential and will not be available to persons other than the employee and those authorized in writing by the superintendent or his/her designee. Management personnel or District legal counsel with a valid "right to know" or "need to know" may, with the Superintendent or designee's authorization, review an employee's personnel file. Board members are not individually allowed to request and access personnel files but the Board may request pertinent information from an employee's file in cases of personnel action.

Ratings, reports, or records shall not be available for inspection by employees if they were obtained prior to the employment of the person involved, prepared by identifiable examination committee members, or obtained in connection with a promotional examination. However, noncredentialed employees shall have access to any numerical scores obtained as result of written examinations. (Education Code 44031)

Except for the ratings, reports or records specified above as not open to inspection, employees shall be notified whenever derogatory information is to be placed in their personnel files. Any employee so notified may ask to review and comment on the contents. Such a review shall take place during normal school hours. The employee shall be released from duty for this purpose without a salary reduction. All other written materials filed in personnel records shall be made available for inspection by the employee at an off-duty time. Inspection shall take place in the presence of an administrator or designated confidential employee. Derogatory material may be reviewed by the employee during release time.

PERSONNEL RECORDS

Legal Reference:

EDUCATION CODE

35253	Regulation to destroy records
44031	Personnel file contents and inspection
44663	Performance appraisals and related materials

GOVERNMENT CODE

3305-3306	District police officers; personnel files
6254.3	Disclosure of home address and phone number

LABOR CODE

1198.5	Inspection of personnel files
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PENAL CODE

11165.14	Report of investigation of child abuse complaint
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CODE OF REGULATIONS, TITLE 5

16020-16022	Records, general provisions
16023-16027	Retention of records

ATTORNEY GENERAL OPINIONS

Cal. Atty. Gen., Indexed Letter, no. IL 75-73 (June 6, 1975)